COMMON COUNCIL
COUNCIL CHAMBERS
JANUARY 21, 2014

Mayor Kristen Brown called a regular meeting of the City Common Council to order at approximately 6:00 P.M. in the City Council Chambers.

I. Meeting Called to Order

A. Opening Prayer was given by Stephen Gadwah with First Christian Church.

B. Pledge of Allegiance was led by Mayor Brown.

C. Roll Call was taken. Dascal Bunch, Ryan Brand, Frank Jerome, Frank Miller, Tim Shuffett, Kenneth Whipker, and James Lienhoop were present.

D. Councilor Shuffett made a motion to approve the minutes as presented from the City Council meeting on December 17, 2013. Councilor Bunch seconded the motion. Motion passed by a vote of seven (7) in favor and none (0) opposed.

E. Council Selection of 2014 President Pro Tempore. Councilor Brand made a motion to nominate Dascal Bunch. Councilor Shuffett seconded the motion. Motion passed unanimously.

II. Unfinished Business Requiring Council Action

No unfinished business.

III. New Business Requiring Council Action

Jeff Logston, City Attorney and Executive Director of Administration, requested Council amend the Agenda to allow a New Business item for an additional appropriation of road salt. Councilor Shuffett made a motion to amend the Agenda to include the ordinance for an additional appropriation of funds. Councilor Brand seconded the motion. Motion passed unanimously.

A. Council Appointments to Boards and Commissions. Councilor Lienhoop made a motion to appoint Bill VanDevender to the Technology Advisory Committee. Councilor Brand seconded the motion. Motion passed by a unanimous vote.

B. First Reading of an Ordinance entitled "ORDINANCE NO._____, 2014, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "RS2" (RESIDENTIAL: SINGLE FAMILY) TO "RTc" (RESIDENTIAL: TWO-FAMILY WITH COMMITMENTS)." (SKAGGS DEVELOPMENT / WOODLAND PARKS REZONING). Jeff Bergman, Planning Director, presented this ordinance by explaining this is a request from Skaggs Development to change zoning on approximately 26 lots in the Woodland Parks subdivision from single family residential (RS2) to two family residential (RT). The intent is to allow for the construction of single family attached homes, where

the homes would be attached along the property line. Jeff displayed a map of the subdivision, which is located on the west side of US 31, north of CR 400 North. Images were also shown of the types of homes to be constructed. The Columbus Plan Commission met on December 11, 2013 and sent a favorable recommendation to the Council by a vote of nine (9) in favor and zero (0) opposed, with commitments and conditions. Jeff stated the applicant has agreed to the commitments and conditions. Councilor Lienhoop indicated there are duplicate street names in this subdivision as in his housing addition and expressed concerns with identical street names. Jeff stated he would research this matter. There were no comments from the public. Councilor Shuffett made a motion to pass the first reading and place this in proper channels. Councilor Jerome seconded the motion. Motion passed by a unanimous vote.

C. Reading of an Ordinance entitled "ORDINANCE NO._____, 2014, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO AMEND CHAPTER 10.48 OF THE COLUMBUS CITY CODE, ABANDONED VEHICLES." Jeff Logston, presented this ordinance by explaining the city has an existing abandoned vehicle ordinance and amendments to the ordinance would add two (2) elements, which are unlicensed vehicles and inoperable vehicles. Jeff stated enforcement violations would be handled by the county code enforcement officer or a police officer. Jeff explained the ordinance includes a warning notifying the person to remove the vehicle within thirty (30) days to correct the issue. If the matter has not been corrected within the thirty (30) days, then a citation is issued allowing the violator ten (10) days to correct. After the ten (10) days, the city has the opportunity to file an ordinance violation with the Court. The Court must order the vehicle's owner to be in noncompliance before the city can remove the vehicle. Councilor Miller is not in favor of the ordinance. He does not believe there is an actual problem that needs to be addressed and the wording in the ordinance needs more work. Councilor Jerome asked how large of a problem this was for our community. Mayor Brown stated she brought this issue forward and said she does receive complaints, not an everyday complaint, but it's a big issue for those people that are impacted. Discussion followed. Mayor Brown opened the meeting for public comment. Tipton Dodge stated that just because you have an item that is objectionable doesn't mean you have to be cited for it. A woman from the audience questioned violation of automobiles that are sitting at the curb for months with a possible improper license plate. Jeff Logston said the issue can be addressed through state statute. Mike Kell, Franklin Street, mentioned two examples of vehicles that fit this ordinance. Susan Kell, Franklin Street, indicated there have been unsightly vehicles in her neighborhood in the past and, after calls to the police, the vehicles were removed. Brad Grayson, Bartholomew County Landlord Association representative, spoke on behalf of those in the community that have limited income. He asked the Council to vote against the ordinance, because it continues to have loose ends in the language. Jeff explained many of the items discussed by Mr. Grayson are already written in the current ordinance and the proposed changes are addressing the unlicensed and inoperable vehicles. Mr. Grayson explained whatever is in place right now is working. Cheryl Knulf, downtown resident, said this is about doing the right thing and using common sense. Sharon Brown spoke in favor of the ordinance. Matt Callaway, sub-committee member, explained the amended ordinance allows the city to better enforce the issues. Councilor Bunch made a motion to approve the ordinance as written and place in proper channels. Councilor Whipker seconded

the motion. Motion passed by a vote of six (6) in favor and one (1) opposed. Councilor Miller voted nay.

D. First Reading of an Ordinance entitled "ORDINANCE NO._____, 2014, AN ORDINANCE FIXING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE CITY OF COLUMBUS, INDIANA FOR CALENDAR YEAR 2014." Jeff Logston presented this ordinance and explained a revision is needed under Section III – Other Payments, Police Department. The total per diem for school guards is correct as it includes the two percent (2%) cost of living increase. However, the narrative was not changed and did not show the 2% COLA. The proposed revision would increase to a maximum of $33.12 per guard per day.

Jeff presented an additional salary change which was recommended by the Parks & Recreation Board for the Director of Business Services position. They desire to increase the maximum salary range by $5,000.00 for a total of $67,975.00, based on his additional duties during an interim period of time.

Councilor Lienhoop spoke to the Mayor regarding her recent demotion of Parks & Recreation Director Ben Wagner. He spoke on behalf of the Council stating they are disappointed in the Mayor's decision of the demotion, the manner in which it was made, and the rationale behind it. Council believes Ben Wagner is one of the city's best employees and he is deserving of better treatment than what he has received from his employer. Councilor Lienhoop made a motion to amend the salary ordinance to change the stated range of the position of Director of Parks & Recreation from $58,878.00 - $84,111.00 to a range of $0 - $0. Furthermore, to amend the compensation pay of the Marketing Coordinator from $28,618.00 - $40,883 to a range of $79,471.00 - $79,471.00. The $79,471.00 is the amount Ben was making as Parks Director. He stated Ben's compensation should be continued until the city has an opportunity to analyze the situation and come to a resolution. Councilor Shuffett stated Ben is a great asset to the community and it is important to maintain his salary until a final decision is made. Councilor Lienhoop made a motion to pass on first reading the salary ordinance as presented. Councilor Brand seconded the motion. Prior to public comment, Mayor Brown stated decisions on department head staffing are central to the executive board and exclusively at the will of the mayor. They are not matters appropriate for legislative direction; to do so is overstepping bounds as Council members in the legislative body. Secondly, personnel matters are considered confidential information under state law to protect employees' rights and not appropriate in a public meeting exclusively reserved for legislative matters. Councilor Whipker explained the letter of dismissal that is well known has made this a public issue and he welcomes comments from the public. The meeting was opened for public comment. Richard Gold, a concerned Columbus citizen, spoke on behalf of the community, its assets, and the crown jewel of the Parks & Recreation system itself. He has worked with Ben Wagner in the past and considers him a friend. Mr. Gold went on to say that because of Ben, the Park Board, and the Park Foundation Board are the reasons he personally invests in the programs that enhance our parks and build our people trails. He stated he is baffled to hear of the charges and reasons for Ben's demotion. He encouraged City Council to get to the bottom of this issue, to make sure all of the facts have been gathered and are accurate. Nancy Ann Brown spoke in support of the increase in salary for the Director of Business Services. Tipton Dodge read a letter on behalf of Ben Wagner and expressed concerns that he was wrongfully demoted. He asked his letter to be included with the

official minutes. Cheryl Buffo, member of the Commons Board, explained that before the Commons was built the board spent months deciding on how the Commons would be managed. It was determined that the Parks Department would maintain the Commons facility and program the public space, and they accepted that responsibility. The Commons Board recognized that they are not qualified to be landlords or in the development business so Columbus Downtown, Inc. (CDI) was chosen. CDI was disbanded and responsibility was given to the Columbus Redevelopment Commission to manage those leases. Never was it her impression that the leases were the responsibility of the Parks Department. Councilor Lienhoop made a motion to amend the ordinance for the compensation of the Director of Parks and Recreation to a low range of $0 and a high range of $0; and the Marketing Coordinator given a low of $79,471.00 and a high of $79,471.00. Councilor Jerome seconded the motion to amend. Motion to amend the salary ordinance passed by a vote of seven (7) to zero (0). Councilor Lienhoop made a motion to approve the salary ordinance as amended on the first reading and place in proper channels. Councilor Shuffett seconded the motion. Motion passed unanimously.

E. First Reading of an Ordinance entitled "ORDINANCE NO._____, 2014, AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2014." Matt Caldwell, Director of Operations and Finance, and Bryan Burton, Director of City Garage, presented this ordinance by requesting an additional appropriation of $137,000.00. Bryan explained we have had ten (10) snow events this year already, which is approximately $20,000.00 to $23,000.00 per snow. Chip Orbin said the snow removal employees have done a great job. Councilor Jerome made a motion to approve the first reading and place in proper channels. Councilor Shuffett seconded the motion. Motion passed by a unanimous vote.

IV. Other Business

A. Standing Committee and Liaison Reports

B. Discussion Items:

1)Communities That Care (CTC) Coalition Involvement Agreement - Eric Riddle with the Foundation for Youth presented an agreement asking for Council's involvement by supporting this effort and approving Councilor Whipker's participation. Council was in favor of this initiative.

2) LeadsOnline Ordinance proposal – Chief Maddix and Captain Rohde discussed three issues brought forward from the December 17, 2013 Council meeting. Captain Rohde provided information to the Council confirming LeadsOnline compliance with security measures of the FDIC. He also provided a LeadsOnline Participation Agreement for Reporting Businesses, and a System Security Overview & Safeguard Compliance Policy. Caleb Tennis, Washington Street, spoke about the security measures with LeadsOnline. Captain Rohde discussed creating an ordinance, with some exceptions, and modeling it to the Bloomington ordinance. Councilor Whipker supports this action and believes crimes can be solved through electronic reporting. Several members of the audience spoke. Discussion followed. Councilor Shuffett requested copies of ordinances from other communities. This item will be placed on the February 4, 2014 agenda.

3) Animal Care Services – reorganization to remove from the Police Department – Chief Maddix and Deputy Chief Harry explained the need to move Animal Care Services to be independent from the Police Department. Deputy Chief Harry explained that due to the accreditation process for the Police Department all of their volunteers are required to meet the CALEA compliance standards. Animal Care Services has many volunteers for open houses and daily animal care that would be required to go through extensive background checks if the department remained under the Police Department. An ordinance will be prepared for approval at the next Council meeting on February 4, 2014.
4) Additional appropriation - Matt Caldwell explained the $1,250,000.00 appropriation for two (2) fire apparatus' was not expended in 2013 and all bids were thrown out. The Fire Department is revising the specifications for the apparatus' and are asking for an additional appropriation of $1,250,000.00 for 2014 to purchase the trucks.

C. Next regular meeting is scheduled for **Tuesday, February 4, 2014 at 6:00 P.M. in City Hall.**

D. Councilor Bunch made a motion for adjournment. Councilor Shuffett seconded the motion. Motion passed with a unanimous vote. The meeting adjourned at approximately 8:41 P.M.

Presiding Officer

Attest:

Clerk Treasurer of City of Columbus